

County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

January 13, 2005

Deputy Angela Gonzalez, #[redacted]
[redacted]

Dear Deputy Gonzalez:

On August 26, 2004, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2093872. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that pursuant to a settlement agreement between you and this Department, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department, for a period of thirty (30) days. However, pursuant to the settlement agreement, ten (10) of the thirty (30) days will be held in abeyance for a period of twenty-four (24) months which will end on November 16, 2006. If you should become the Subject of a founded administrative investigation, involving similar violations regarding false statements of the Manual of Policy and Procedures relating to False Information in Records, and/or similar facts relating to Performance to Standards or Performance of Duty issues, and the event occurred within the prescribed twenty-four (24) month time period, the ten (10) days held in abeyance will be imposed. Additionally, you will be subject to further discipline for each and every founded violation of the Department's Manual of Policy and Procedures. All Departmental records will reflect, nevertheless, that you received a thirty (30) day suspension.

Pursuant to the settlement agreement, the Department has agreed to impose a salary step reduction for a period of six months that will be equivalent to the monetary value of the remaining twenty (20) day suspension.

An investigation under File Number IAB 2093872, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/040.70, False Statements and/or 3-01/050.10, Performance to Standards, on or about July 12, 2003, you knowingly or willingly made false statements in a report you submitted when you wrote the following statements in the Probable Cause Declaration, U.R.N. 403-0168-1257-184, as evidenced by but not limited to:

   a) "Deputy Arreola found a small paper bindle containing a green leafy substance resembling marijuana in his [the suspect's] right front pant coin pocket."

   b) "S/[redacted] told Deputy Arreola that he was on [redacted] and had a small personal stash of marijuana in his pocket."

2. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records and/or 3-01/050.10, Performance to Standards, on or about July 12, 2003, you made a false official record when you knowingly and/or willingly entered false information in a Department report when you wrote the following statements in the Probable Cause Declaration, U.R.N. 403-01688-1257-184, as evidenced by, but not limited to:

   a) "Deputy Arreola found a small paper bindle containing a green leafy substance resembling marijuana in his [the suspect's] right front pant coin pocket."

   b) "S/[redacted] told Deputy Arreola that he was on [redacted] and had a small personal stash of marijuana in his pocket."

3. That in violation of Manual of Policy and Procedures Sections 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations and/or 3-01/050.10, Performance to Standards , on or about March 26, 2004, you knowingly and/or willingly made a false and/or misleading statement during a Departmental internal investigation when you said you were on duty for 16 or 17 hours, when you had been on duty for 12 hours.

4. That in violation of Manual of Policy and Procedures Sections 3-01/100.35, False Information in Records and/or 3-01/050.10, Performance to Standards, on or about July 12, 2003, you made a false official record when you knowingly caused to be entered false information in a Department report when you submitted Los Angeles County Sheriff's Department Incident Report, U.R.N. 403-01688-1257-184. The false information includes, but is not limited to:

   a) "Deputy Arreola found a small paper bindle containing a green leafy substance resembling marijuana in his [the suspect's] right front pant coin pocket."

   b) "Deputy Arreola contacted the right front passenger who told him that he was on [redacted] and had a small personal stash of marijuana in his pocket."

5. That in violation of Manual of Policy and Procedures Sections 3-01/050.05, Performance of Duty and/or 3-01/050.10, Performance to Standards, you failed, as a senior officer, to correct the statement relative to the seizure of a small bindle of marijuana that you had seized. The Probable Cause Declaration and Incident Report under U.R.N. 403-01688-1257-184 stated that your partner, Deputy Arreola, had seized the marijuana.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Timothy W. Peters, Captain
Commander, Crescenta Valley Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

TWP:KM:rjb

c: Advocacy Unit
Neal B. Tyler, Chief, Field Operations Region I
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Crescenta Valley Station/unit Personnel File

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DATE: August 24, 2004

DISPOSITION SHEET

FILE NO. IAB 2093872

FROM: NEAL B. TYLER, CHIEF
FIELD OPERATIONS REGION I

TO: ERIC B. SMITH, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **ANGELA GONZALEZ, #[redacted]**
Deputy Sheriff
Crescenta Valley Station
Field Operations Region I

Upon consideration of the facts developed in this investigation, I have determined that Subject Gonzalez should be **DISCHARGED** for the reasons set forth in the attached documentation. This decision may be reconsidered based on the employee's response.

Neal B. Tyler
Neal B. Tyler, Chief

8/24/04
Date

CASE REVIEWED BY:

Larry L. Waldie
Larry L. Waldie, Assistant Sheriff

8-2404
Date

(Not Available)
R. Doyle Campbell, Assistant Sheriff

Date

William T. Stonich
William T. Stonich
Undersheriff

8-24-04
Date

The evidence in this investigation supports the following charges:

1. That in violation of Manual Section 3-01/040.70, False Statements, and/or Manual Section 3-01/050.10, Performance to Standards, on or about July 12, 2003, Subject Gonzalez knowingly or willingly made false statements in a report she submitted when she wrote in Probable Cause Declaration, U.R.N. 403-01688-1257-184, the following statements, including, but not limited to:

   – Deputy Arreola found a small paper bindle containing a green leafy substance resembling marijuana in his (the suspect's) right front pant coin pocket.

   – S/[redacted] told Deputy Arreola that he was on [redacted] and had a small personal stash of marijuana in his pocket.

2. That in violation of Manual Section 3-01/100.35, False Information in Records, and/or Manual Section 3-01/050.10, Performance to Standards, on or about July 12, 2003, Subject Gonzalez made a false official record when she knowingly and/or willingly entered false information in a Department report when she wrote in Probable Cause Declaration U.R.N. 403-01688-1257-184, the following statements, including, but not limited to:

   – Deputy Arreola found a small paper bindle containing a green leafy substance resembling marijuana in his (the suspect's) right front pant coin pocket.

   – S/[redacted] told Deputy Arreola that he was on [redacted] and had a small personal stash of marijuana in his pocket.

3. That in violation of Manual Section 3-01/040.75, Making False Statements During a Departmental Internal Investigation and/or Manual Section 3-01/050.10, Performance to Standards, on or about March 26, 2004, Subject Gonzalez knowingly and/or willingly made a false and/or misleading statement during a Departmental internal investigation when said she was on-duty for 16 or 17 hours, when she had been on-duty for 12 hours.

4. That in violation of Manual Section 3-01/100.35, False Information in Records, and/or Manual Section 3-01/050.10, Performance to Standards, on or about July 12, 2003, Subject Gonzalez made a false official record when she knowingly caused to be entered false information in a Department report when she submitted County of Los Angeles Sheriff's Department Incident Report, U.R.N. 403-01688-1257-184. The false information includes, but is not limited to;

- Deputy Arreola retrieved a small paper bindle containing a green leafy substance resembling marijuana in his (the suspect's) right front pant coin pocket.

- Deputy Arreola contacted the right front passenger who told him that he was on [redacted] and had a small personal stash of marijuana in his pocket.

5. That is violation of Manual Section 3-01/050.05, Performance To Duty and/or Manual Section 3-01/050.10, Performance To Standards, Subject Gonzalez, as senior officer, failed to correct the statement relative to the seizure of a small bindle of marijuana that she had seized. The Probable Cause Declaration and the Incident Report under U.R.N. 403-01688-1257-184, stated that her partner, Deputy Arreola, seized the marijuana.

SUMMARY

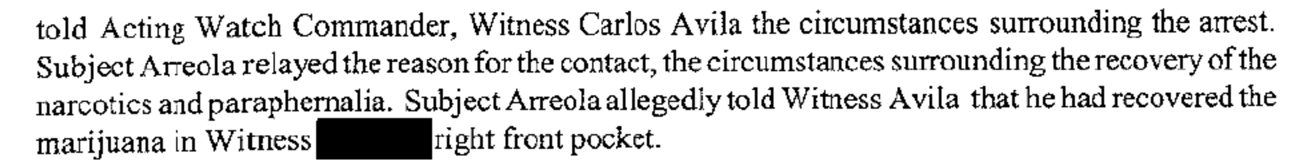
On July 11, 2003, Subjects Angela Gonzalez and John Arreola, both assigned to Crescenta Valley Station, were partnered as a two-person unit working [redacted] hours. Subject Arreola was a deputy in [redacted] and his regularly assigned [redacted] had been adjusted off for an upcoming [redacted] day.

During the latter part of their shift, Subjects Arreola and Gonzalez observed a vehicle parked in a turnout of the Angeles Crest Highway and detained six individuals pending an investigation for possible criminal activity, i.e., loud music, gang members, and drinking of alcoholic beverages.

Additional units responded with Deputies Rosalina Harris, Scott Shinagawa and [redacted] to provide back up at the scene. Subject Arreola conducted a pat search of the right front passenger, Witness [redacted] and retrieved narcotic paraphernalia in his left pocket. Subject Gonzalez conducted a subsequent pat search and located marijuana in Witness [redacted] right front coin pocket. She told Subject Arreola that he had missed the item during his search, however, she advised Subject Arreola that she would not tell his [redacted] of his mistake. She did tell Witness Deputy Shinagawa, "I can't believe he (Arreola) missed the dope."

Their ongoing investigation revealed a wallet containing methamphetamine in the vehicle. Based on the proximity of the suspect, a statement from one of the detainees saying the narcotics in the wallet belonged to the suspect, and the paraphernalia which had been earlier recovered, Witness [redacted] was arrested for possession of a controlled substance, Methamphetamine, possession of less than one ounce of marijuana, and possession of drug paraphernalia. All of the other occupants were checked for evidence of criminal activity, identified and released. The juvenile was detained and released to the custody of his mother.

Witness [redacted] was transported back to the Crescenta Valley Station and Subject Arreola verbally


told Acting Watch Commander, Witness Carlos Avila the circumstances surrounding the arrest. Subject Arreola relayed the reason for the contact, the circumstances surrounding the recovery of the narcotics and paraphernalia. Subject Arreola allegedly told Witness Avila that he had recovered the marijuana in Witness [redacted] right front pocket.

Witness Avila indicated that although somewhat illegible and with excessive details, the Probable Cause Declaration presented to him and written by Subject Arreola appeared consistent with Subject Arreola's earlier verbal rendition of the arrest that he (Subject Arreola) had found the marijuana. Subject Gonzalez entered the office and Witness Avila reiterated the circumstances. Witness Avila suggested to both Subjects that a shorter PCD be written which better defined their actions and thoughts leading to the arrest. Subject Gonzalez rewrote a second PCD and submitted it.

The arrest report was initially written by Subject Arreola with a large portion dictated by Subject Gonzalez. The relieving sergeant, Witness James Noennick, directed Subject Arreola to go home because he had worked almost 20 hours at this point. Witness Noennick told Subject Gonzalez to review and ensure that the arrest report accurately reflected which deputy recovered which evidence. Gonzalez made several corrections to Subject Arreola's earlier report and submitted it as complete.

Upon his return three days later, Witness [redacted] reviewed Subject Arreola's Deputy Daily Work Sheet and noticed the felony arrest. He questioned Subject Arreola who initially spoke freely, but when pressed for details, Subject Arreola became "uncomfortable." At Witness [redacted] insistence, Subject Arreola finally said he was uncomfortable with the documentation. At the end of shift, Witness [redacted] obtained a copy of the report and Subject Arreola said he had an "issue" with a statement made by suspect [redacted] and the recovery of the evidence.

On the next day, Witness [redacted] and Subject Arreola had [redacted] together. After the [redacted] Witness [redacted] went home and read the report in detail. He then called Subject Arreola to find out exactly what was bothering him. Subject Arreola said that he wrote that suspect [redacted] said he was on [redacted] and he admitted to possession of a small amount of marijuana. Subject Arreola told Witness [redacted] that [redacted] did not make those remarks. Subject Arreola also said that he wrote that he found the marijuana when in fact Subject Gonzalez had found it. Witness [redacted] reported this information to Watch Commander, Witness Sam Silva who reported the situation to Captain Ralph Martin.

The case was submitted to Internal Criminal Investigation Bureau and they began a criminal investigation into the incident. The results of the I.C.I.B. investigation were presented to the District Attorney's office for consideration of filing a criminal complaint. The filing was declined citing "insufficient evidence exists upon which to base charges against Arreola and Gonzalez . . . further the jury could find that the deputies inadvertently misstated the facts in the report, rather than intentionally drafting a false report."

The case was transferred to the Internal Affairs Bureau for investigation of potential administrative

policy violation(s). During their interviews, both Subject Arreola and Subject Gonzalez said that Subject Gonzalez was the one who recovered the marijuana from Witness [redacted] Subject Gonzalez also acknowledged that she was working as a senior officer on the night in question as Subject Arreola was on [redacted].

DISCIPLINE ASSESSMENT

Review of Applicable "Guidelines for Discipline" Sections

The Department's Guidelines for Discipline lists the following analogous misconduct with associated disciplinary penalties:

Untruthful or misleading statements during Internal Investigations	15 to 25 Days See Note #1
Falsification of official reports or records	15 Days Suspension to Discharge See Note #1
Conduct which causes Embarrassment to the Department	Written Reprimand to Discharge
Performance to Standards	Written Reprimand to Discharge See Notes #3 and #4

Note #1 **As noted elsewhere in these Guidelines, discipline is expected to be within the standard range in most cases. In the event circumstances warrant a downward adjustment to a penalty less than the standard range, the indicated offenses may not be reduced below a five (5) day suspension.**

Note #3 **In addition, performance issues, may be addressed by the personnel performance evaluation system. See Civil Service Rule 20. Those rules provide that an employee must be discharged as a result of an unsatisfactory evaluation.**

Note #4 **The standard discipline for this section can range from written reprimand to discharge, based on an evaluation of the totality of the circumstances.**

Assessment of Mitigating and Aggravating Factors

Severity of Infraction:

Perhaps the most serious of all offenses within a law enforcement agency, is a lack of integrity. Members of this Department have an absolute obligation to the public we serve to develop and maintain the highest ethical standards in both personal and official conduct. This incident is a serious violation which warrants substantial discipline.

This incident is particularly aggravated, as it resulted in a criminal investigation with felony charges. However, the Justice Integrity Division of the Los Angeles County District Attorney's Office ultimately declined to prosecute for the criminal charges of perjury citing "Materiality depends upon whether the false statements concern a subject [which] could reasonably influence the outcome of the proceedings." Id. At 405.

While there may have been insufficient evidence to base criminal charges, this does not lessen the culpability of both individuals. They individually and collectively prepared official reports that were false and misleading conceivably to cover the fact that Arreola missed the marijuana in his initial search. Gonzalez told Arreola that she would not tell his [redacted] Arreola would suggest that Gonzalez dictated the report incorrectly or there was confusion over whom "I" referred to. However, this does not explain why Arreola verbally told Sergeant Carlos Avila that he (Arreola) found the marijuana and according to Sergeant Avila wrote a Probable Cause Declaration to that effect.

Gonzalez wrote a new Probable Cause Declaration and had the opportunity to identify herself as the finder of the marijuana. One could conclude that she made a mistake. However, she later had another opportunity to clarify that she found the marijuana when she corrected Arreola's Incident Report. While she made other changes, she continued to allow the report to read that Arreola found the marijuana giving substance to her earlier claim that she would not tell Arreola's [redacted] that he missed the dope.

As to the fatigue factor, records indicate that Gonzalez worked 12 hours rather than the 16 or 17 that she claimed in her interview. All of these facts aggravate rather than mitigate the severity of these charges and have caused substantial embarrassment to the Department.

Intent, Truthfulness and Acceptance of Responsibility:

During the investigation, the Subject suggested that she made a mistake rather than that she wrote a false report. She suggests that fatigue played a major role, but her time records indicate that she worked 12 hours rather than the 16 to 17 hours that she claimed in her interview. The veracity of her claim is questionable and she does not appear to accept responsibility for this incident.

Degree of Culpability:

The misconduct was committed by both Subjects and they equally shared in the responsibility to write truthful reports.

Past Performance and Disciplinary History:

The Subject has been an employee with this Department for more than 4 ½ years. She has no disciplinary history.

DISPOSITION

Based on the foregoing, the following is the level of discipline to be assessed, subject to revision upon receiving the Subject's response or grievance:

X Discharge
__ Reduction in Rank
__ Suspension with loss of pay and benefits for days.
__ Written Reprimand
__ No discipline recommended

INTERNAL AFFAIRS BUREAU INVESTIGATIVE SUMMARY

IV 2093872

Subject(s): **ARREOLA, JOHN A., # [redacted]**
GONZALEZ, ANGELA M., # [redacted]

Date: **July 12, 2003 (Saturday)**

Location: **Cresenta Valley Station , 4554 N. Briggs Avenue, La Cresenta, CA**

This case pertains to an incident that occurred on July 12, 2003 at 0050 hours. Subjects Angela Gonzalez and John Arreola, both assigned to Cresenta Valley Station, were together for the shift. Subject Arreola was a deputy in [redacted] and assigned with Subject Gonzalez, while his assigned [redacted] was on an assigned [redacted] day. The subjects observed a vehicle parked in a turnout for the Angeles Crest Highway at mile marker 27.50. The vehicle was occupied with three persons and the subjects observed three additional males walk away from the vehicle as they pulled up to the van. The three males who walked from the van had in their possession amber colored bottles the subjects believed to be alcoholic beverages.

All six individuals were detained pending an investigation related to possible criminal activity. The right front passenger, Witness [redacted] DOB [redacted] was arrested for possession of a controlled substance, Methamphetamine. All of the other occupants were checked for evidence of criminal activity, identified and released.

The allegations in this case are, (1), That Subject Arreola falsified an arrest report **(Exhibit B)** when he wrote that Suspect [redacted] told him that he was on [redacted] and had marijuana in his pocket. Subject Arreola also wrote that he discovered and confiscated the marijuana from [redacted] pants coin pocket and falsely reported his discovery to the watch commander, Sergeant Carlos Avila.. And, (2), That Subject Gonzalez falsified the Probable Cause Declaration **(Exhibit C)** when she wrote the same statements that Subject Arreola had in his arrest report.

On July 17, 2003, Chief Neal Tyler requested the Internal Criminal Investigations Bureau investigate the allegations that Subject Arreola falsified information on an arrest report, in violation of the California Penal Code. Sergeant William Looney was assigned to investigate the allegations. During the course of his investigation, he obtained information that Subject Gonzalez was possibly a party in the alleged criminal act. Gonzalez was included as a suspect in the investigation on October 17, 2003, by Chief Neal Tyler.

On October 21, 2003, Sergeant William Looney completed his investigation and presented the facts of the case to Deputy District Attorney Linda Sue Reisz, of the Justice System Integrity Division, Los Angeles County District Attorney's Office, for filing consideration.

On December 23, 2003, Deputy District Attorney Reisz declined to file charges against Subjects John Arreola and Angela Gonzalez, citing, " insufficient evidence exists upon which to base criminal charges against Deputies Arreola and Gonzalez." Reisz added, "Further, a jury could find that the deputies inadvertently misstated the facts in the reports, rather than intentionally drafting a false report."

IAB Note: To review a copy of the District Attorney's memorandum of case rejection, refer to Exhibit #A of the case file.

On January 29, 2004, Chief Neal Tyler requested an administrative investigation be conducted on the allegations made against Subjects Arreola and Gonzalez. Sergeant Larry Landreth was assigned to investigate the allegations.

Interviews of witnesses were conducted by Sergeant William Looney during the course of the criminal investigation. The interviews were recorded on tape and supplemental reports were completed to document those interviews. Below are the summarized statements made by the witnesses for review.

PRIMARY WITNESSES

WITNESS - DEPUTY [redacted] was interviewed by Sergeants William Looney and Marcus Hershey on August 13, 2003. The interview took place at Cresenta Valley Station and was audio tape recorded.

Deputy [redacted] said he was assigned to Cresenta Valley Station as a [redacted] to Subject Arreola for approximately 3 ½ months. He said this was Subject Arreola's [redacted]

On July 11, 2003, Deputy [redacted] was not at work because he had been assigned to attend [redacted] He took off Saturday, July 12th and went on his regular scheduled days off on Sunday and Monday. [redacted] said while off, Subject Arreola worked a double shift, starting on Friday at [redacted] hours and ending on Saturday at [redacted] hours.

When [redacted] returned to work on Tuesday, July 15, 2003, he discussed with Subject Arreola his activity while he was on [redacted] Deputy [redacted] asked Arreola about the arrest for methamphetamine he and Subject Gonzalez made and he told [redacted] of the arrest. Later, Arreola told [redacted] he was uncomfortable with something that happened related to the arrest. After some prying, Deputy [redacted] learned Arreola was uncomfortable about the documentation of the arrest.

At the end of their shift, Deputy [redacted] obtained a copy of the arrest report and reviewed it with Subject Arreola. Arreola said he had an "issue" with a statement made by the suspect, [redacted] and the recovery of evidence.

On Tuesday, July 15, 2003, both Deputy [redacted] and Subject Arreola attended [redacted] and after going

home for the day, [redacted] read the entire report and telephoned Subject Arreola at home to discuss the report. Deputy [redacted] pressed Arreola to tell him what exactly bothered him about the report. Arreola talked specifically about a statement attributed to suspect [redacted] that he wrote in the report. The statement was that Suspect [redacted] told him he was on [redacted] and that he admitted to possession of a small amount of marijuana. Arreola said [redacted] did not make those statements to him.

IAB Note: refer to Exhibit # B, page 5, paragraph 2 of the arrest report authored by Subject Arreola.

Deputy [redacted] told Sergeant Looney that he specifically did not ask if that statement attributed to [redacted] could have been made to Subject Gonzalez, out of hearing range of Arreola, during the detention, nor, did he asked if Gonzalez had any conversation with [redacted] away from Arreola.

Subject Arreola told [redacted] that when he searched Suspect [redacted] for weapons, he found the glass pipe, however, he did not locate the paper bindle of marijuana in the suspect's coin pants pocket. Subject Arreola told [redacted] that Subject Gonzalez discovered the marijuana after the suspect was handcuffed, however he wrote in the arrest report that he found it.

IAB Note: refer to Exhibit #B, page 6, paragraph 1 of the arrest report authored by Subject Arreola.

Subject Arreola told Deputy [redacted] that while at the station, he wrote an initial Probable Cause declaration and Arrest review(PCD), detailing the probable cause for the detention and arrest. This PCD was not approved and Subject Gonzalez was directed by the watch commander to write another one. Arreola told [redacted] that Subject Gonzalez "dictated" the contents of the arrest report to him. Deputy [redacted] told Sergeant Looney that he believed the original PCD was destroyed and not retained. Arreola told [redacted] that the original PCD reflected that Subject Gonzalez found the marijuana on Suspect [redacted]. He did not remember about the [redacted] comment.

Deputy [redacted] said he told Arreola if he wrote something in the report that was not correct, accurate or true, then why did he not say something to Subject Gonzalez about it. Arreola told [redacted] that he was on [redacted] and did not feel he could say anything and did not know what he should do. Deputy [redacted] said he told Arreola that if he believed the report to be false, he had to notify a lieutenant. Deputy [redacted] said he telephoned Lieutenant Silva on July 16, 2003, and told him of the concerns and what Arreola reported to him.

Deputy [redacted] told Sergeant Looney that he normally did not "dictate" reports to Arreola, only smaller sections of reports, he wants to be certain are "clear." Deputy [redacted] said he did set up outlines for Arreola's reports and did discuss problematic areas, but he did not dictate entire reports to Arreola. [redacted] said that he had a good rapport with Arreola and he will not hesitate to ask questions about incidents to factually document them in chronological order. Deputy [redacted] did say that he felt Arreola may be reluctant to question another deputy, given the same

set of circumstances, due to a lack of confidence in patrol procedures.

Deputy [redacted] told Sergeant Looney that he learned there were two other deputies that assisted Arreola and Gonzalez with the detention on Angelus Crest Highway. Those deputies were Scott Shinagawa and Rosalina Harris.

Deputy [redacted] was again interviewed on May 3, 2004, by this investigator at the Cresenta Valley Station. The interview took place in the Watch Commander's office and was tape recorded for possible later review.

Witness [redacted] furnished basically the same information as told to Sergeant Looney, with the following additions and clarifications:

Witness [redacted] said that when he returned to work on July 15, 2003, he found the copies of the Deputy Daily Worksheets(DDWS) in his mailbox. He instructed Subject Arreola to make copies of the DDWS from each shift worked and give them to him. He reviewed the worksheet and saw that Arreola made an arrest for methamphetamine possession while [redacted] was off. It was because of the DDWS entry that he asked Arreola about the arrest. After some prodding, he discovered that Arreola was uncomfortable about the incident.

Deputy [redacted] said he believed from his conversations that Arreola knew, when he was writing, that it was not an accurate account of what occurred.

[redacted] said he and Subject Arreola had made narcotics possession arrests while on [redacted] He said Arreola was exposed to searching, finding narcotics concealed on a person and documenting the facts in a report. [redacted] said given the exposure that Arreola had, he did not believe that the situation was too complex and that Arreola would be able to document the incident, with some assistance.

[redacted] said that he has had some occasions to work with Subject Arreola on extended shifts and late hours. He said Arreola has worked past the [redacted]. end of their shift on report writing and Arreola did not seem to be too fatigued to act or think clearly. He said he only heard Arreola mildly complain on how tired he was, but it did not seem to affect his judgement.

[redacted] said Subject Arreola was in his [redacted] He had some areas of [redacted] Arreola and [redacted] discussed his [redacted] status and [redacted] was confident Arreola did not believe he was [redacted]

[redacted] said he believed Arreola came to him with his concerns related to the documentation in the report because they had numerous discussions about how important it was to be specific as to what each deputy saw, heard or did. The importance of this was so there would be no question for courtroom testimony. Arreola told [redacted] he was very concerned that if he were to testify in court on the arrest, he would not be able to do so. He often asked questions of [redacted] if he was not clear on something.

WITNESS - LIEUTENANT SAM SILVA prepared a memorandum on July 16, 2003, directed to Captain William Martin relating he received a telephone call from Deputy [redacted] told Silva that his [redacted] Subject Arreola, related to him when he was assigned to work with Subject Gonzalez on July 11, 2003, they made an arrest for possession of methamphetamine. Arreola told [redacted] he was uncomfortable with facts he wrote in the arrest report. Arreola told [redacted] he was especially concerned about a statement he reported as being said to him by the suspect. Arreola related to [redacted] that the reported statement was documented in his report and the Probable Cause Declaration written by Subject Gonzalez. He also told [redacted] that he was uncomfortable about details related to the recovery of evidence as documented in the report.

Lieutenant Silva said he asked Deputy [redacted] if Arreola told him that Subject Gonzalez asked him to deliberately lie in the report. Arreola told [redacted] that did not occur, only that she dictated the report to him and he wrote what she told him to write. [redacted] told Lieutenant Silva that Arreola said he believed what he wrote was not right and he was in an ethical dilemma over the situation. He told [redacted] that he was a [redacted] and was doing what he was told to do.

Lieutenant Silva asked Deputy [redacted] to contact Arreola and have him call Silva. Lieutenant Silva telephoned Captain Martin, Cresenta Valley Station Commander, reporting his conversation with Deputy [redacted]

Later, Subject Arreola telephoned Lieutenant Silva and informed him he had retained an attorney from his union and would not make a statement, under the advisement of his attorney.

> **IAB Note: On July 16, 2003,Lieutenant Sam Silva prepared a memorandum to Captain Martin documenting his conversation with Deputy [redacted] and Subject Arreola. For details, refer to the memorandum, exhibit #C, pages 36 through 38, of Sergeant Looney's case file .**

Lieutenant Silva secured all of the reports and inspected the evidence placed into the evidence room by Subject Arreola.

On July 17, 2003, Lieutenant Silva received a telephone call from Mr. Jay Trinnaman, an attorney representing Subject Arreola. Mr. Trinnaman informed Silva that Arreola would not make a statement and exercise his constitutional right to remain silent.

Lieutenant Silva directed Sergeants Avila and Noennick to write memorandums regarding their involvement in the approval of the arrest, Probable Cause Declaration, and arrest report.

> **IAB Note: Both Sergeant Carlos Avila and Sergeant James Noennick prepared memorandums at Lieutenant Silva's direction. To refer to their memorandums, see exhibit #E, pages 42 through 43, and Exhibit # F, pages 45 and 45, of Sergeant Looney's case file .**

Lieutenant Silva and Sergeant Alton Green made an attempt to speak to the Suspect [redacted] who was out of custody, at his listed place of residence, in the city of [redacted] The suspect was not at the location.

IAB Note: On July 17, 2003, Lieutenant Silva prepared a memorandum to Captain Ralph Martin. To refer to the memo, see exhibit #D, pages 39 through 41, of Sergeant Looney's case file.

WITNESS - [redacted] was interviewed on October 6, 2003 at 1607 hours, by Sergeant Ron Schram and Sergeant William Looney, Internal Criminal Investigations Bureau. The interview was conducted in the briefing room of Men's Central Jail and was audio tape recorded. The following is a synopsis of the interview.

Mr. [redacted] told Sergeants Looney and Schram that on the night in question he and his friends [redacted] were at a turnout of Angeles Crest Highway. He was sitting in the front passenger seat of Ms. [redacted] van. [redacted] was sitting in the driver's seat, while [redacted] and "[redacted]" [redacted] were seated in the back seat. Ms. [redacted] was standing just outside the van adjacent to the front passenger door, talking with the occupants of the van. Mr. [redacted] said that after arriving he was smoking methamphetamine but stopped prior to being contacted by deputies. There was also beer and marijuana in the van ready to be consumed. He told them he was drinking beer earlier that morning but did not continue drinking. Mr. [redacted] said that while sitting in the van his attention was drawn to deputies who arrived and illuminated the van. When he noticed the deputies he immediately got out of the van and walked away, attempting to distance himself from the methamphetamine inside.

Mr. [redacted] was ordered by the deputies to put his hands on top of his head. A male Hispanic deputy (Deputy John Arreola) approached the van on the passenger side and a female Hispanic deputy (Deputy Angela Gonzalez) wearing glasses, approached the van on the driver's side. Mr. [redacted] was then searched by a male Hispanic deputy. During the search the deputy found a long cylindrical piece of glass in Mr. [redacted] pants pocket. Mr. [redacted] explained the glass was obtained from a restaurant and was initially a light-conductor for a flower and not a pipe used to smoke methamphetamine. After the search, Mr. [redacted] were handcuffed and placed in the back seat of a radio car.

Mr. [redacted] identified Deputy Arreola and Deputy Gonzalez to Sergeant Looney as the initial deputies that contacted him. He believed they were working together and that they were the deputies that subsequently transported him to Crescenta Valley Sheriff Station.

Deputy Arreola conducted the search "patdown" of Mr. [redacted] then checked department resources to ascertain if Mr. [redacted] had any outstanding warrants for his arrest. Mr. [redacted] said he was informed he had two warrants for his arrest. During the time Mr. [redacted] was being checked for warrants a female deputy, that wears glasses(Subject Gonzalez), was searching the van.

After the check for arrest warrants Mr. [redacted] was removed from the radio car. The female deputy that earlier had searched the van (Deputy Angela Gonzalez) removed Mr. [redacted] from the radio car and searched him. During the search the female deputy removed some marijuana from Mr. [redacted] pants (coin) pocket. Mr. [redacted] said he heard the female deputy tell her partner she found the marijuana while searching [redacted] and asked him why he missed it. After finding the marijuana the female deputy held it up and the male deputy asked her where she found it. The female deputy said she found the marijuana in Mr. [redacted] pocket and said he did not "search him right."

> **IAB Note: Sergeant Looney's investigation revealed Subject Angela Gonzalez authored a Probable Cause Declaration (PCD) stating that Deputy Arreola found marijuana on [redacted]. Due to these facts, Sergeant Looney contacted Captain Martin and requested Gonzalez included as a suspect in his investigation.**

SUBJECT INTERVIEWS

SUBJECT - JOHN ARREOLA was interviewed on April , 2004, at hours. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and a summarized copy is provided for review.

SUBJECT - ANGELA GONZALEZ was interviewed on March 26 , 2004, at hours. The interview was conducted at the Internal Affairs Bureau. The interview was digitally recorded and a summarized copy is provided for review.

> **IAB Note: Refer to verbatim transcriptions of the subject interviews included in this case.**

SECONDARY WITNESSES

WITNESS - DEPUTY ROSALINA HARRIS, #[redacted] was interviewed by Sergeants Looney and Schram on September 2, 2003 at Cresenta Valley Station as part of the criminal investigation. The interview was audio recorded and summarized below.

Deputy Harris said she was on [redacted] Deputy Scott Shinagawa on July 12, 2003, when they received a "back up" request from Subjects Arreola and Gonzalez at the Angelus Crest Highway Turnout #2. When they arrived, Subjects Arreola and Gonzalez were on scene, along with Deputy [redacted] unit # 121T1. Deputy Harris placed two of the detainees in [redacted] patrol car to conduct a check for outstanding warrants. She believed there were two more detainees in Shinagawa's vehicle.

While checking on her two detainees status, Subject Arreola approached her and spoke to the female detainee [redacted] in her car. Arreola questioned [redacted] about some "dope" and a simulated gun found in her Dodge van. [redacted] told Arreola that she would tell him who all of the "stuff" belonged to because she did not want go to jail for something that was not hers. Subject Arreola removed [redacted] from the back seat and walked to the rear of the patrol car. [redacted]

indicated that the methamphetamine belonged to [redacted] and the simulated weapon belonged to another male (unknown). Miranda indicated the "weed" (Marijuana) belonged to the juvenile. [redacted] was placed back in her vehicle and Arreola walked away.

Harris said she and Shinagawa received a priority call and left the location to handle it. When they returned, Harris said she overhead a conversation between Subject Gonzalez and Deputy Shinagawa. Harris said she overheard Gonzalez say, "I can't believe he missed the dope". She did not hear anything else between the two deputies. Harris said she believed Gonzalez was talking about Subject Arreola missing narcotics during a search of one of the detainees.
Deputy Harris said that she and Deputy Shinagawa transported the juvenile detainee, [redacted] to Cresenta Valley Station to allow him to call a parent to pick him up.

Deputy Harris showed Sergeant Looney her note book entry for July 12, 2003. The names and dates of birth for the two detainees, [redacted] were written in her notebook. She told Looney she checked on their warrant status at the time of detention. Sergeant Looney photocopied the page and retained the photocopy for his investigation.

Deputy Harris told Sergeant Looney she had not worked with Subject Arreola but, she had worked with Subject Gonzalez sometime toward the end of her first month of [redacted] Deputy Harris said during that time, Subject Gonzalez wrote most of the reports they received. At times, Subject Gonzalez would dictate verbatim the entire report to Harris. Some of the reports, Gonzalez would tell Harris that she may "want to put this or that in", indicating verbiage to make a report sound clearer. Deputy Harris said Gonzalez never had her put something in a report that was untrue or not correct.

WITNESS-DEPUTY [redacted] was interviewed by Sergeants Looney and Schram on September 5, 2003 at Cresenta Valley Station as part of the criminal investigation. The interview was audio recorded and summarized below.

Deputy [redacted] said he responded to Turnout # 2 off of the Angeles Crest Highway in response to a back-up request from Subjects Gonzalez and Arreola. When he arrived, he saw that they had six to eight people detained from a van parked in the turnout. [redacted] placed some of the detainees in the back seat of his car and assisted Gonzalez in watching the remaining people while Gonzalez searched the van. After Gonzalez searched the van, she asked [redacted] to search it again to see if she missed anything inside. While searching the van, Subject Arreola told [redacted] he had already searched the van and that he did not need to continue with the search.

[redacted] said that soon after he arrived, Deputies Shinagawa, Harris and Jose Bueno arrived on scene. He said both Shinagawa and Harris had to leave because they were dispatched to a priority call.

Deputy [redacted] said his only conversation with Subject Gonzalez was about what she said she saw "the [redacted] do." Gonzalez told [redacted] that when she first came upon the van, she saw only one person in the van, he was the "[redacted]" Gonzalez said she "saw him reach under the seat and stash something."

WITNESS - DEPUTY SCOTT SHINAGAWA, # [redacted] was interviewed by Sergeants Looney and Schram on September 5, 2003 at Cresenta Valley Station as part of the criminal investigation. The interview was audio recorded and summarized below.

Deputy Shinagawa said he and Deputy Rosalina Harris over heard a back-up request from Subjects Gonzalez and Arreola at Turnout #2 of the Angeles Crest Highway. When they arrived, they assisted Gonzalez and Arreola in detaining several subjects. When they arrived, there were several males standing in front of Gonzalez's and Arreola's radio car. Some of the detainees were placed in the back seats of patrol cars and checked for warrants.

Deputy Shinagawa said he assisted Deputy [redacted] in searching the van and remembered Subject Arreola telling them that he had already search it and they did not have to continue.

Deputies Shinagawa, Harris and Bueno left to handle a priority radio call and left Deputy [redacted] to assist Subjects Gonzalez and Arreola. After handling the call they returned to assist Gonzalez and Arreola.

Deputy Shinagawa said that Deputy Gonzalez told him that Arreola "missed the dope" and she found the narcotics after moving the suspect from one vehicle to another. Deputy Shinagawa said although he knew narcotics had been found, he did not know where. He believed Gonzalez was talking about Subject Arreola not doing a complete search of the detainee prior to placing him in the radio car. Shinagawa said he never saw the narcotics found during the investigation.

WITNESS - DEPUTY JOSE BUENO, # [redacted] was interviewed by Sergeants Looney and Schram on September 9, 2003 at Cresenta Valley Station as part of the criminal investigation. The interview was audio recorded and summarized below.

Deputy Bueno said he responded to the turnout on Angeles Crest Highway in response to a back-up request made by Subjects Gonzalez and Arreola. On the way, he received another call and handled it prior to arriving at Gonzalez' location. He said that when he arrived, Gonzalez was finished with most of her investigation. He did not have any contact with the detainees, nor did he speak with Gonzalez about what had occurred.

WITNESS - SERGEANT JAMES NOENNICK was interviewed on April 22, 2004. The interview took place in a conference room of Cresenta Valley Station. The interview was digitally recorded for later review.

Witness Noennick acknowledged that on July 18, 2003, he prepared a memorandum to Lieutenant Sam Silva, at his direction, documenting the report review and approval related to the arrest made by Subjects Gonzalez and Arreola. He was given a copy of the memorandum to review for the interview.

> **IAB Note: To review a copy of the memorandum prepared by Witness Noennick, refer to Exhibit D, page 42 and 43 of Sergeant Looney's case file.**

Witness Noennick said he was the day shift Watch Sergeant / Watch Commander on July 12, 2003, when he started his shift at [redacted] hours, he was advised by the Early morning Watch Commander, Sergeant Carlos Avila, that both Subject Gonzalez and Subject Arreola were completing an arrest and booking for a possession of methamphetamine. Sergeant Noennick sent Arreola home because he had worked past the allowed nineteen consecutive hours set forth in Department policy. He directed Subject Gonzalez to complete the process and report because she was not working past the allotted nineteen hours.

Sergeant Noennick reviewed the report and discovered some issues he had with the report as written. He spoke to Subject Gonzalez about his concerns with the report. He told Gonzalez that it was necessary to document clearly in the report the actions taken by who, why they were taken and what happened because either she or Subject Arreola could be called years later to testify to what occurred. He said he told Subject Gonzalez specifically that it was important to document who arrested the person and who found which items. He also discussed that it was important to document what Deputy Arreola's thought process was when he felt certain items on the suspect's person.

Witness Noennick said he directed Subject Gonzalez to make some corrections on the report. He said she made a correction on page 5 of 10, 4th paragraph, where it was not clear what Subject Arreola was thinking when he found an object in the suspect's pant pocket. He said she changed the first sentence of the paragraph to read, "I felt a bulge in his left front pocket which was consistent with a possible weapon, or drug paraphernalia." He observed two other changes on the report where he believed Subject Gonzalez made changes. He said he did not remember if the other changes she made on the report were due to his specific concerns or that she reviewed the report after their discussion and she made the changes.

Sergeant Noennick said that the changes in the report were made by Subject Gonzalez prior to her going home and he reviewed the report and signed it. Sergeant Noennick said he did not notice that Subject Gonzalez appeared to be overly fatigued. She did not make any statements to him that she was too tired to make the corrections. She seemed only to exhibit a normal fatigue associated with being awake all night.

WITNESS - SERGEANT CARLOS AVILA was interviewed on May 3, 2004, at Cresenta Valley Station. The interview was tape recorded for later review.

> **IAB Note: prior to the interview, Witness Avila reviewed a copy of the memorandum he prepared documenting the approval of the arrest by Subjects Arreola and Gonzalez, at the direction of Lieutenant Sam Silva. To refer to Avila's memo see Exhibit #D, page 44.**

Witness Avila was the early morning Watch Commander on July 12, 2003. He said that Subject Arreola verbally discussed the arrest with Witness Avila. Arreola explained the probable cause for the detention, possible gang members in possession of alcoholic beverages, the search and location of the marijuana in the suspect's pants pocket by Arreola. He explained the subsequent arrest of

Suspect [redacted]

Subject Arreola prepared a Probable Cause Declaration and presented it to Avila for approval. Avila did not believe that Subject Gonzalez was present with Arreola when he discussed the arrest facts. Witness Avila reviewed the PCD and found numerous problems contained in the PCD. He said there were grammatical errors, problems with chronology and did not read smoothly. Avila told Arreola to make the corrections and return the PCD to him. Deputy Gonzalez wrote another PCD and it was turned in to him for approval. Sergeant Avila did not remember if Subject Arreola told him if Suspect [redacted] made any comments concerning being on [redacted]

> **IAB Note: Sergeant Avila wrote in the memorandum that when Subject Arreola initially told him of the arrest, Arreola reported that he found the marijuana on Suspect [redacted]. Refer to Witness Avila's memorandum, Exhibit D, page 44.**

WITNESS - [redacted] was interviewed on 09-17-2003 at 1349 hours, by Sergeant Schram and Sergeant Looney. The interview was conducted in the driveway of a residence and was audio tape recorded. The following is a synopsis of the interview.

Mr. [redacted] told Sergeants Looney and Schram that the night in question he was with [redacted] and three other friends. Together they drove to the turnout in her van. He said he was "kicking it" outside the van when they were detained by a female deputy and two male deputies. Mr. [redacted] said he was searched, but did not remember who searched him. He was searched and placed in a radio car until he was released to go home. Mr. [redacted] did not remember much of what happened that night. He did not see any narcotic contraband while there and did not see any of his friends searched.

WITNESS - [redacted] was interviewed on 09-18-2003 at 0724 hours, by Sergeants Looney and Schram. The interview was conducted in their vehicle, in front of his home. It was audio tape recorded and following is a synopsis of the interview.

Mr. [redacted] admitted to being an active "Latin Kings" gang member with a moniker of "[redacted]." He said he has not been involved in any gang activity lately because he has a "little daughter." On the night in question [redacted] took her van to his house and picked up him and his [redacted]

Mr. [redacted] told them that he was sitting in the van with "[redacted]" Everyone else was "kicking it" outside the van. Along with [redacted] Mr. [redacted] remembered [redacted] being there. He was sitting in the driver's seat and [redacted] was sitting in the front passenger's seat of the van. While sitting there they were approached by deputies. The deputies had their flashlights on and a female deputy approached him on his side of the vehicle. He was ordered out of the vehicle. He exited the vehicle, was searched by the female deputy and placed inside a radio car. Mr. [redacted] said [redacted] was searched also and he believed the person that executed the search was a female deputy.
Mr. [redacted] said he was in a radio car with [redacted] He believed he was checked by the deputies to

determine if he had any outstanding arrest warrants. Mr. [redacted] said he had no warrants and only [redacted] and [redacted] were arrested. Mr. [redacted] did not see any contraband found. He was aware that a BB gun was found inside the van. He also knew of a "pipe" being discovered, but had no knowledge of either methamphetamine or marijuana confiscated by the deputies that night.

WITNESS - [redacted] was interviewed on 09-18-2003 at 0724 hours, by Sergeants Looney and Schram. The interview was conducted on the patio of his home. It was audio tape recorded and following is a synopsis of the interview.

Mr. [redacted] told Sergeants Looney and Schram that on the night in question he met [redacted] at "[redacted]' house. Together they went to the turnout. Mr. [redacted] told them he was with his "[redacted]." They were at the turnout "kicking it, when the cops came." Mr. [redacted] said he was standing by some rocks, outside the van when deputies arrived. Mr. [redacted] remembered the deputies were two males and a female. When the deputies arrived, Mr. [redacted] was told to put his hands on his head. Mr. [redacted] was then searched by a male deputy. Mr. [redacted] did not know which deputy searched [redacted] or his other friends. Mr. [redacted] told us the female deputy searched [redacted]

Mr. [redacted] said that after he was searched he was placed inside a radio car. While in the radio car he saw two male deputies searching the van and the female deputy stayed in a separate radio car with in a separate radio car with "[redacted]" Mr. [redacted] said no one was arrested that night and everyone went home in the van.

WITNESS - [redacted] was interviewed on 09-23-2003 at 1503 hours, by Sergeant Looney. The interview was conducted at her home and audio tape recorded. The following is a synopsis of the interview.

Ms. [redacted] told him that on the night in question she drove her van to the turnout on Angeles Crest Highway. With her in the van was "[redacted]" They arrived at the turnout at approximately 11:00 or 11:30 p.m. Ms. [redacted] told Sergeant Looney that at the turnout there were three people inside the van. She was outside the van next to the front passenger window. The rest of the people there were "on the rocks."

Ms. [redacted] remembered four deputies arriving at the turnout. Ms. [redacted] recollection was they were all male deputies and they arrived in a Tahoe and a regular radio car. Ms. [redacted] was told to wait by the van until a female deputy arrived to search her. The occupants of the van were then removed and searched.

Ms. [redacted] said she was approximately six feet from [redacted] when he was removed from the van and searched. Ms. [redacted] said [redacted] was seated in the front passenger seat and "[redacted]" and [redacted] were in the back seat. She remembered the deputy that approached her was male. She said, "I know he kinda looked Hispanic, had like, um he was about 5'7" um, he had like his hair

back, he was like not too dark skinned, he was young." She said there were other deputies at the rear of the van. The deputies ordered everyone to put their hands up and move away from the vehicle. The occupants of the van were then told to come out of the van with their "hands up." Ms. [redacted] stayed close to the front of the van while the occupants were searched.

Ms. [redacted] said she believed there was marijuana found on [redacted] when he was searched after getting out of the van. Ms. [redacted] never actually saw marijuana taken from [redacted] all she saw was the searching deputy remove an object from [redacted] right front pants pocket. Ms. [redacted] saw the deputy search [redacted] remove the object from his right front pants pocket and say, "Is this yours?" Ms. [redacted] also heard [redacted] say "yes" to this question.

Ms. [redacted] old me she believed deputies found narcotic contraband and a BB gun in her vehicle. Ms. [redacted] told me the BB gun belonged to '[redacted]' and the narcotics were [redacted] Ms [redacted] said she was speaking with a female deputy when a male deputy told her narcotics were found in the van. She told the deputy that the items did not belong to her and it was probably the property of the individuals that were sitting in the van.

Ms. [redacted] told Looney she saw [redacted] searched twice. Initially when he came out of the van and then once more later in the investigation. Ms. [redacted] said her belief was that both searches of [redacted] were done by a male deputy. She did say that the second time [redacted] was searched there was a female deputy next to the searching deputy. Ms. [redacted] described both deputies that searched [redacted] as Hispanic, but could not add much more in the way of a description.